

ORDINANCE NO. 1837

AN ORDINANCE OF THE LODI CITY COUNCIL
ADOPTING THE "2010 CALIFORNIA PLUMBING CODE";
THEREBY, REPEALING AND RE-ENACTING LODI
MUNICIPAL CODE CHAPTER 15.12 IN ITS ENTIRETY

=====

NOW, THEREFORE, the City Council of the City of Lodi does ordain as follows:

Section 1. Lodi Municipal Code Chapter 15.12, "California Plumbing Code," is hereby repealed and reenacted to read as follows:

Chapter 15.12

Plumbing Code

- 15.12.010 Adoption.
- 15.12.020 Department Having Jurisdiction.
- 15.12.030 Plumbing Permit Fees.
- 15.12.040 Fee Schedule.
- 15.12.050 Investigation Fee.
- 15.12.060 Violation – Misdemeanor.

15.12.010 Adoption

The provisions set forth in the "2010 California Plumbing Code" together with Chapter 1 Administration Division II are hereby adopted as the Plumbing Code of the City of Lodi and copies of the same are maintained by the City Building Official and available for review in the Community Development Department. The Plumbing Code of the City of Lodi shall apply to all matters pertaining to plumbing, drainage systems, and gas fittings in the City of Lodi.

15.12.020 Department Having Jurisdiction

The Building Division of the Community Development Department and the Building Official or his/her authorized representative shall enforce the provisions of this Chapter and shall have all of the duties and rights of the Administrative Authority as provided in the 2010 California Plumbing Code.

15.12.030 Plumbing Permit Fees

A fee for each plumbing permit required by this Chapter shall be paid to the City of Lodi. Fees shall be paid prior to permit issuance.

15.12.040 Fee Schedule

Section 103.4 The schedule of plumbing permit fees required by this Chapter will be those established and adopted by City Council from time to time by resolution.

15.16.050 Investigation Fee – Work Without a Permit

Work Commenced before permit is issued. Any person who commences work requiring a permit before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority that shall be in addition to the required permit fee.

15.12.060 Violation – Misdemeanor

- A. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any plumbing or permit the same to be done in violation of this Chapter.
- B. Any person, firm, or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this Chapter is guilty of a misdemeanor punishable on conviction as set forth in Chapter 1.08 of this Code. Each separate day or any portion of thereof, during which any violation of this Chapter occurs or continues, shall be deemed to constitute a separate offense and punished accordingly.
- C. In addition to the penalties set forth in Section 15.12.060(B) above, City may at its sole discretion, seek to enforce this Chapter under Chapter 1.10 of this Code.

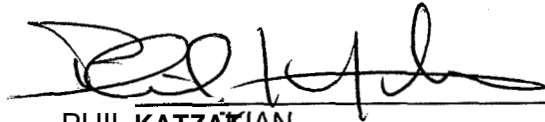
Section 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

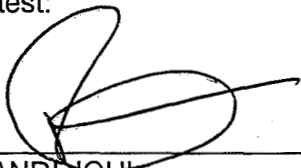
Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This ordinance shall be published one time in the "Lodi News Sentinel," a newspaper of general circulation, printed and published in the City of Lodi, and shall be in force and take effect January 1, 2011, which date is at least 30 days after passage of this ordinance.

Approved this 17th day of November, 2010


PHIL KATZAKIAN
Mayor

Attest:



RANDI JOHL
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1837 was introduced at a regular meeting of the City Council of the City of Lodi held November 3, 2010, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held November 17, 2010, by the following vote:

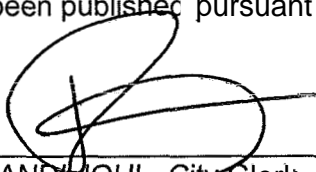
AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce,
and Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

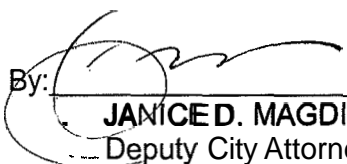
I further certify that Ordinance No. 1837 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



RANDI JOHL, City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney, City of Lodi

By: 

JANICE D. MAGDICH
Deputy City Attorney